

**U.S. Department of the Interior
Bureau of Land Management**

Determination of NEPA Adequacy

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management



Determination of NEPA Adequacy
DOI-BLM-UT-G010–2015–0159–DNA
Cooper Draw Water Development

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Chapter 1. Finding of No Significant Impact

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Based on the analysis of potential environmental impacts contained in the attached Determination of NEPA Adequacy, and consideration of the significance criteria in 40CFR1508.27, I have determined that the two proposed water developments on the Cooper Draw allotment will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

Approved by:	
Michelle Brown	10/2/2015
Michelle Brown, Assistant Field Manager	Date

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Chapter 2. Decision Record

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Decision

It is my decision to authorize Holmes Bar NE Ranch, LLC to develop two water sites on the Cooper Draw allotment as described in the proposed action of DOI-BLM-UT-G010–2015–0159–DNA.

The proposed water developments meet the BLM’s purpose and need to allow range improvements on grazing allotments to maintain and improve Rangeland Health.

The analysis conducted through DOI-BLM-UT-G010–2014–0208–EA remains valid and provides adequate analysis for the two new proposed water developments.

Appeals

This decision is effective upon the date it is signed by the authorized officer. The decision is subject to appeal. Under BLM regulation, this decision is subject to administrative review in accordance with 43 CFR 3165. Any request for administrative review of this decision must include information required under 43 CFR 3165.3(b) (State Director Review), including all supporting documentation. Such a request must be filed in writing with the State Director, Bureau of Land Management, Utah State Office, P.O. Box 45155, Salt Lake City, Utah, 84145-0155, within 20 business days of the date this Decision is received or considered to have been received.

If you wish to file a petition for stay, the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant’s success on the merits;
3. The likelihood of irreparable harm to the appellant or resources if the stay is not granted;
4. Whether the public interest favors granting the stay.

Authorizing Official

Approved by:	
Michelle Brown	10/2/2015
Michelle Brown, Assistant Field Manager	Date

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Chapter 3. Determination of NEPA Adequacy (DNA)

DNA Worksheet

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U.S. Department of the Interior
Bureau of Land Management

OFFICE: Vernal Field Office, LLUTG01200

PROJECT NUMBER: DOI-BLM-UT-G010-2015-0159

PROPOSED ACTION: Cooper Draw Solar Pump Water Development

LOCATION/LEGAL DESCRIPTION: T2S,R24E, S13; T2S,R25E, S19

APPLICANT (if any): Doyle Holmes, Holmes Bar N E Ranch, LLC

A. Description of Proposed Action and any applicable mitigation measures

There are two sites proposed for new spring developments. An area approximately 15' x 15' would be disturbed at each site to develop a spring and place the solar pumps. A single backhoe will be used to develop the spring sources and steel cattle panels will be used to protect the developed areas. The 3" polyline would be buried and run approximately 500' and up to 1000' feet to the troughs. Trenches would be a maximum of 3' wide. Well areas and trenches will be seeded after areas are backfilled and smoothed out.

1. All equipment would be power-washed prior to entering the project area.
2. Annual monitoring of the project area for weed establishment would occur.
3. Annual treatments of weeds would be conducted under the authority of existing Vernal Field Office Pesticide Use Proposals, and following existing policy (Vernal Field Office Surface Disturbing Weed Policy 2009).
4. Reseed the disturbed soil with native seed.
5. Construction materials will be selected to avoid bright reflective surfaces; any such materials necessary should be modified (painted) with matte earth tones.

B. Land Use Plan Conformance

LUP Name*	BLM Vernal Field Office Record of Decision and Approved Resource Management Plan	Date Approved:	<u>October 2008</u>
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The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

NA

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

*Chapter 3 Determination of NEPA Adequacy (DNA)
A. Description of Proposed Action and any
applicable mitigation measures*

RN-I: Specific improvements to rangeland health include, but not limited to, vegetation treatments, fencing, spring development, reservoirs, guzzlers, pipelines, and wells.

RN-II: Part of all measures will be implemented to meet resource objectives for habitat enhancement.

The Decision identifies this allotment as being open for livestock grazing and as a compatible use on public lands within the Cooper Draw allotment and within the authority of the Taylor Grazing Act 1934, the Federal Land Policy and Management Act 1976, and the grazing administration regulations contained in 43CFR4100.

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

Environmental Assessment, Cooper Draw Solar Pumps DOI-BLM-UT-G010–2014–0208–EA.

List by name and date other documentation relevant to the proposed action (e.g. biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

The two proposed water developments are technically similar to the projects approved and completed under EA DOI-BLM-UT-G010–2014–0208–EA. The two proposed ponds are within the same analysis area. There are (2) resource conditions identified in the connected EA that are not of concern and do not apply to the new proposed action: (1) the project design would not impact the conditions of the VRM II visual resource management objectives, (2) no water lines will be crossing a road.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessments, recent endangered species listings, updated lists of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

The existing analysis (DOI-BLM-UT-G010–2014–0208–EA) remains valid and there is no new information or circumstances that would change the analysis as applied to the new proposed action. The review is documented in the Interdisciplinary Team Checklist.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

*Chapter 3 Determination of NEPA Adequacy (DNA)
C. Identify applicable National Environmental Policy
Act (NEPA) documents and other related documents
that cover the proposed action.*

There are no direct, indirect, or cumulative effects that would result from implementation of the new proposed action.

5. Are there public involvement and interagency reviews associated with existing NEPA document(s) adequate for the current proposed action?

The associated EA (DOI-BLM-UT-G010–2014–0208–EA) received adequate reviews through an Interdisciplinary Team review and public involvement through the NEPA register. In addition this project was posted to the NEPA Register. No interest in or inquiries about the project have been received from the public.

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation DOI-BLM-UT-G010–2014–0208–EA and DOI-BLM-UT-G010–2015–0159–DNA fully cover the proposed action and constitutes BLM's compliance with the requirement of NEPA.

Tracey Lynne Hart	10/1/2015	
Signature of Project Lead: Tracey Lynne Hart, Range Management Specialist		Date
Kelly Buckner	10/2/2015	
Signature of Environmental Coordinator:		Date
Michelle Brown	10/2/2015	
Signature of the Responsible Official: Michelle Brown, Assistant Field Manager		Date

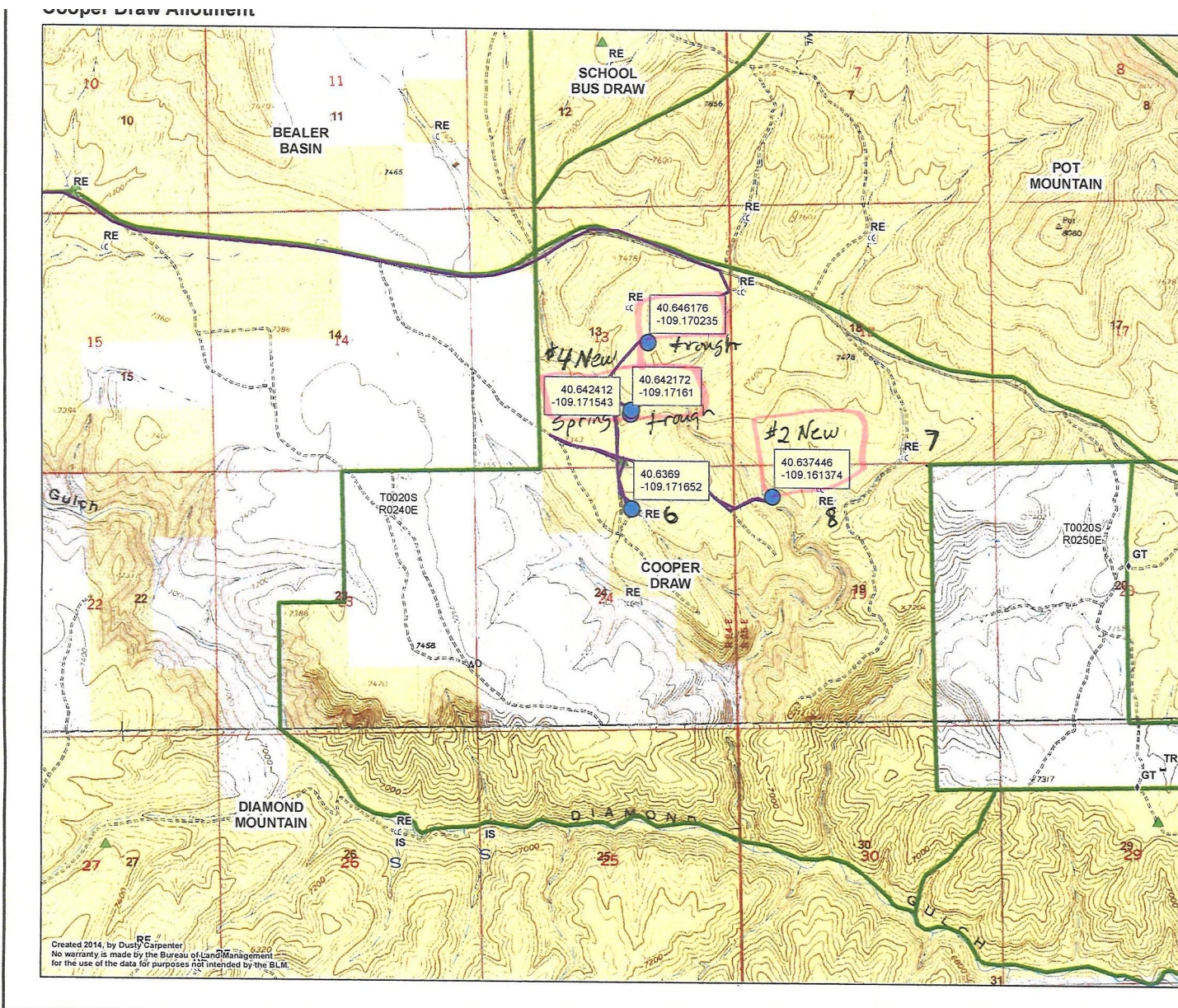
Note:

The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

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Chapter 4. Project Map

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Chapter 5. Interdisciplinary Team Checklist

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Project Title: Cooper Draw Water Developments

NEPA Log Number : DOI-BLM-UT-G010–2015–0159–DNA

Project Leader: Tracey Lynne Hart

DETERMINATION OF STAFF: (Choose one of the following abbreviated options for the left column)

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

Determina- tion	Resource/Issue	Rationale for Determination	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NC	Air Quality & Greenhouse Gas Emissions	Dust and vehicle emissions would be generated during the project. However, impacts from emissions are expected to be short term (during the project only) and indistinguishable from background emissions as measured by monitors or predicted by models. Greenhouse gas emissions: No greenhouse gas standards have been established by EPA or other regulatory authorities. The assessment of greenhouse gas emissions and climate change is in its earliest stage. Global greenhouse gas models can be inconsistent, and localized models are lacking. Consequently, it is not technically feasible to quantify the net impacts to climate based on local greenhouse gas emissions. It is anticipated that greenhouse gas emissions associated with this action and its alternative(s) would be negligible.	Stephanie Howard	9/10/2015
NP	BLM Natural Areas	No BLM Natural Areas exist within the identified project area as per RMP review.	Rene Arce	9/25/2015
NP	Cultural: Archaeological Resources	No archaeological resources were observed within the APE. "No historic properties affected" 36 CFR 800.4(1)(1)	David Grant	9/8/2015
NP	Cultural: Native American Religious Concerns	No Traditional Cultural Properties (TCPs) are identified within the APE. The proposed project will not hinder access to or use of Native American religious sites.	David Grant	9/8/2015

Determination	Resource/Issue	Rationale for Determination	Signature	Date
NP	Designated Areas: Areas of Critical Environmental Concern	No Designated ACEC's exist within the proposed project area as per RMP review.	Rene Arce	9/25/2015
NP	Designated Areas: Wild and Scenic Rivers	No Wild and Scenic Rivers exist within the proposed project area as per RMP review.	Rene Arce	9/25/2015
NP	Designated Areas: Wilderness Study Areas	No designated ACEC's exist within the identified project area as per RMP review.	Rene Arce	9/25/2015
NC	Environmental Justice	No minority or economically disadvantaged communities or populations would be disproportionately adversely affected by the proposed action or alternatives because none are present in or adjacent to the project area.	Stephanie Howard	9/10/2015
NP	Farmlands (prime/unique)	No lands identified by the NRCS as being prime or unique (irrigated) are located within the project area.	Stephanie Howard	9/10/2015
NC	Fuels/Fire Management	Project will not have any negative impacts on hazardous fuels or fire management. Any new disturbance areas will meet the specifications outlined under the standard Green River Reclamation Standards.	Blaine Tarbell	9/17/2015
NC	Geology/Minerals/ Energy Production	This project does not involve major earth moving and, therefore, will not significantly impact geologic conditions or mineral resources. There is no energy production occurring in the immediate area. Additionally, the project does not preclude future development of resources.	Justin Snyder	9/21/2015
NC	Invasive Plants/ Noxious Weeds, Soils & Vegetation	Previous analysis (2014-0208-EA) is sufficient. There is potential for an increase in noxious weed infestations as a result of the Proposed Action. The Proposed Action requires a minor amount of surface disturbance, and is not expected to result in an increase in soil erosion.	Christine Cimiluca	9/14/2015
NC	Lands/Access	The proposed Cooper Draw grazing allotment is located within the Vernal Field Office Resource Management Plan area, which allows for oil and gas development with associated road, pipeline and power line right-of-ways. Current land uses, within the area identified in the proposed action consist of wildlife habitat, recreational use, and sheep and cattle ranching and private land ownership. No existing land uses	Margo Roberts	09/17/2015

Determina- tion	Resource/Issue	Rationale for Determination	Signature	Date
		would be changed or modified by the implementation of the proposed action. There are no identified rights-of-way per the Master Title Plats. There are several identified Uintah County Class D roads that provide access into the Cooper Draw Allotment. If the proposed project crosses the roads, Uintah County would need to be contacted. Per the Vernal Field Office GIS layer file, there are no Public Water Reserves within the proposed project area.		
NP	Lands with Wilderness Characteristics (LWC)	No areas with wilderness characteristics found as per RMP review.	Rene Arce	9/25/2015
NC	Livestock Grazing & Rangeland Health Standards	No impact to grazing AUMs (minimal ground disturbance). Grazing distribution will be improved as a result of the project.	Tracey Hart	9/10/2015
NC	Paleontology	This proposal involves surface disturbance not considered in the NEPA document to which it is tiered. The paleontology survey completed for that document did not cover the precise area considered here. However, the area is underlain by the Pennsylvanian Morgan Formation. Though fossiliferous, it is unlikely to produce paleontological resources of scientific importance. Therefore, no impact is expected.	Justin Snyder	9/21/2015
NC	Plants: BLM Sensitive	The proposed project is located outside of the potential range of all BLM sensitive species, and the project is not located on soils known to support these species, per BLM GIS data and soils modeling data.	Christine Cimiluca	9/14/2015
NC	Plants: Threatened, Endangered, Proposed, or Candidate	No federally listed, proposed, or candidate plant species are present in or expected in the same or an adjacent watershed of the proposed project, per BLM GIS data and soils modeling data.	Christine Cimiluca	9/14/2015
NC	Plants: Wetland/Riparian	No inventoried wetlands or riparian areas would be impacted as a result of the Proposed Action.	Christine Cimiluca	9/14/2015
NC	Recreation	No developed recreation sites/trails or Special Recreation Management Areas (SRMA's) exist within the project area. There is limited recreational use in the area and as such the area is considered part of the Extensive Recreation Management Area (ERMA), where limited recreation management takes place. Recreational use of off highway vehicles (OHVs) is restricted to existing roads and trails.	Rene Arce	9/25/2015

Determina- tion	Resource/Issue	Rationale for Determination	Signature	Date
NC	Socio-Economics	No impact to the social or economic status of the county or nearby communities would occur from this project due to its small size in relation to ongoing development throughout the basin. No negative economic impact is expected from either alternative due to the ability to use the allotment without this project.	Stephanie Howard	9/10/2015
NC	Visual Resources	The identified project occurs within the VRM Class II Lands. The level of change to the landscape would be low. Any changes must repeat the basic elements found in the natural features of the landscape.	Rene Arce	9/25/2015
NC	Wastes (hazardous/solid)	The proposed action will not produce or use hazardous/solid materials.	Tracey Hart	9/10/2015
NC	Water: Floodplains	The small size of the project is not expected to impact any floodplains.	Tracey Hart	9/10/2015
NC	Water: Groundwater Quality	Since the proposed action involves a minor amount of surface/ground disturbance, ground water quality is not expected to be impacted.	Tracey Hart	9/10/2015
NC	Water: Hydrologic Conditions (stormwater)	After construction a small amount of sediment loading could occur in the stock ponds, but the amount would not be enough to inhibit their function.	Tracey Hart	9/10/2015
NC	Water: Surface Water Quality	Since the proposed action involves a minor amount of surface/ground disturbance, surface water quality is not expected to be impacted.	Tracey Hart	9/10/2015
NP	Water: Waters of the U.S.	There are no "Waters of the US" in the proposed project area.	Tracey Hart	9/10/2015
NC	Wild Horses	The project area is not within any HMA's as per map in RMP and GIS.	Tracey Hart	9/10/2015
NC	Wildlife: Migratory Birds (including raptors)	No new impacts have been identified. The NEPA document # DOI-BLM-UT-G010-2014-0208-EA is considered adequate.	Dixie Sadlier	9/4/2015
NC	Wildlife: Non-USFWS Designated	No new impacts have been identified. The NEPA document DOI-BLM-UT-G010-2014-0208-EA is considered adequate.	Dixie Sadlier	9/4/2015
NC	Wildlife: Threatened, Endangered, Proposed or Candidate	Is the proposed project in sage grouse PPH or PGH? Yes <input checked="" type="checkbox"/> No If the answer is yes, the project must conform with WO IM 2012-043. Coordination with UDWR has been completed and no impacts to sage-grouse were identified. The EA is consistent with IM 2012-043.	Dixie Sadlier	9/4/2015
NP	Woodlands/Forestry	No woodlands/forests are in the proposed project area.	Dave Palmer	9/10/2015

FINAL REVIEW:		
Reviewer Title	Signature	Date
Environmental Coordinator	Kelly Buckner	10/2/2015
Authorized Officer: Michelle Brown, Assistant Field Manager	Michelle Brown	10/2/2015